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FILED
U.S. DISTRICT COURT
2020 SEP -9 P 1:21
DISTRICT OF UTAH
BY: _____
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN ANTHONY TAYLOR,

Defendant.

INDICTMENT

Count 1: 18 U.S.C. § 1343 (Wire Fraud)

Case: 2:20-cr-00302
Assigned To : Sam, David
Assign. Date : 9/9/2020
Description:

The Grand Jury alleges:

I. BACKGROUND

At all times relevant to this Indictment:

1. Defendant JOHN ANTHONY TAYLOR (TAYLOR) was a resident of Summit County, Utah.
2. Defendant TAYLOR was the founder and owner of Positive Marketing, LLC and Wasatch Promotional Products, LLC.
3. 3M Company ("3M") is a Delaware corporation having its principal place of business in St. Paul, Minnesota. 3M is in the business of manufacturing and selling a wide variety of medical, consumer, commercial and industrial products, including mask products.

Count 1
18 U.S.C. § 1343
(Wire Fraud)

II. THE SCHEME AND ARTIFICE TO DEFRAUD

4. Beginning on or about March 2020, and continuing until on or about September 1, 2020, in the Central Division of the District of Utah, and elsewhere,

JOHN ANTHONY TAYLOR,

defendant herein, devised and intended to devise a scheme to defraud consumers, and to obtain money and property by means of materially false and fraudulent pretenses, representations and promises, and omissions of material facts.

5. In executing and attempting to execute the scheme and artifice to defraud, and in furtherance thereof, Defendant TAYLOR knowingly transmitted and caused to be transmitted, wire communications in interstate commerce in violation of 18 U.S.C. § 1343 (Wire Fraud).

III. OBJECT OF THE SCHEME AND ARTIFICE TO DEFRAUD

6. It was the object of the scheme and artifice to defraud for defendant TAYLOR to fraudulently obtain money through false statements, misrepresentations, deception, fraudulent conduct, and omissions of materials facts, and thereafter cause money to be diverted for his own and others' personal use and benefit.

IV. MANNER AND MEANS OF THE SCHEME AND ARTIFICE TO DEFRAUD

7. In execution and furtherance of the scheme and artifice to defraud, defendant TAYLOR, made one or more of the following false and fraudulent representations:

- a. That he was a representative for the company 3M and was authorized to sell its 1860 N95 respirators;
- b. That because of the COVID-19 pandemic, he had recently started to focus on selling masks through his business Wasatch Promotional Products;

- c. That he had contracts for “a million, 30 million, 60 million [masks] for a couple different state governments”;
- d. That he had completed several shipments of 3M 8210 respirators;
- e. That he could broker a deal for 3 million 1860 N 95 respirators for \$5.49 per respirator;
- f. That he would receive “lot numbers” and show “proof of life” to prove that the order is legitimate;
- g. That he had successfully brokered deals with 3M previously; and
- h. That a purchase order he attached to an email was from 3M.

8. On or about the date listed below, in the Central Division of the District of Utah and elsewhere,

JOHN ANTHONY TAYLOR,

defendant herein, having devised and intended to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, promises, and omissions of material facts, and for the purpose of executing such scheme and artifice and attempting so to do, did knowingly transmit and cause to be transmitted by means of wire communication certain writings signs and signals, that is, an interstate wire, in instances including but not limited to the count below:

COUNT	DATE	WIRE COMMUNICATION
1	04/23/2020	Utilizing email <u>anthony@wasatchpromotionalproducts.com</u> , Defendant sent an email in interstate commerce, falsely purporting the attachment to be a purchase order from 3M.


All in violation of 18 U.S.C. § 1343.

A TRUE BILL:

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FOREPERSON OF THE GRAND JURY

JOHN W. HUBER
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